UNITED STATES DISTRICT COURT
for the

Eastern District of North Carolina

United States of America v. Charles Bernard Robinson	))))
	) Case No: 5:07-CR-140-2BR
	) USM No: 50784-056
Date of Original Judgment: February 5, 2008	)
Date of Previous Amended Judgment:	)
(Use Date of Last Amended Judgment if Any)	*Defendant's Attorney*

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☑ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:
☑ DENIED.   ☐ GRANTED and the defendant's previously imposed sentence of imprisonment *(as reflected in the last judgment issued)* of _____ months **is reduced to** _____

The offense level resulted from application of the career offender guideline. United States v. Munn, 595 F.3d 183, 187 (4th Cir. 2010); see also United States v. Rhodes, No. 3:08CR82-2, 2015 WL 7430018, at *2 (E.D. Va. Nov. 20, 2015) ("Simmons does not allow Defendant to bypass" the requirement that his sentencing range has been lowered by an amendment to the sentencing guidelines).

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated February 5, 2008, shall remain in effect. **IT IS SO ORDERED.**

Order Date: 2/24/2016   *W. Earl Britt* _____ ure

Effective Date: _____   W. Earl Britt   Senior U.S. District Judge
(if different from order date)   *Printed name and title*